

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PRESTON CATCHINGS,

Plaintiff,

v.

SGT. FIKE, et al.,

Defendants.

Civil Action No. 07-283 Erie

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on October 17, 2007.

The Magistrate Judge's Report and Recommendation [Doc. No. 8], filed on January 29, 2008, recommended that Plaintiff's complaint be dismissed without prejudice to Plaintiff's right to pay the filing fee of \$350.00 before February 22, 2008. Plaintiff was allowed ten (10) days from the date of service to file objections and service was made on Plaintiff by certified mail. Objections were filed on February 13, 2008 [Doc. No. 9]. After de novo review of the complaint and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 11th day of March, 2008;

IT IS HEREBY ORDERED that Plaintiff's complaint is DISMISSED for failure of Plaintiff to pay the filing fee of \$350.00 before February 22, 2008.

The Report and Recommendation [Doc. No. 8] of Magistrate Judge Baxter, filed on January 29, 2008, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge